

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

**IN RE**

**J C AIR CONDITIONING & GENERAL  
JOSE ANTONIO CORREA ORTIZ  
WANDA IVETTE SERRANO RAMOS**

**DEBTOR(S)**

**CASE NO. 11-00543-BKT**

**CHAPTER: 13**

**MOTION REQUESTING DISMISSAL**

**TO THE HONORABLE COURT:**

Comes now, **RELIABLE FINANCIAL SERVICES, INC.**, holder of a secured claim and Movant herein, through its undersigned counsel, and very respectfully to the Honorable Court, alleges and prays as follows:

1. Movant is the holder in due course of a duly executed conditional sales contract over motor vehicle DODGE DAKOTA 2005 registered under number 3115861, executed by debtor(s) on APRIL 15, 2005.

2. Debtor's(s') has failed to renew their annual insurance policy for the motor vehicle(s) described in averment 1. The maturity date of the previous insurance policy was

**OCTOBER 14, 2010.**

3. Debtor's(s') have failed to provide for adequate protection to Movant's secured claim, in accordance with the requirements set forth in 11 USC §361.

4. Section 1307 (c)(1) of the Bankruptcy Code provides for the dismissal of a case under Chapter 13 "for cause, including unreasonable delay by the debtor that is prejudicial to creditors".

**WHEREFORE**, Movant requests the dismissal of the instant case since debtor(s) has (have) failed to provide adequate protection in the form of insurance over the collateral securing Movant's claim.

**NOTICE TO ALL PARTIES** is herein given to the effect that if no opposition is filed within thirty (30) from this notice the Court may enter an Order dismissing the case without further hearing.

**CERTIFICATE OF SERVICE**

I hereby certify that the present motion was filed electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the **ALEJANDRO OLIVERAS**, Trustee and **WILLIAM DAVILA DE PEDRO**, Debtor(s) Attorney and that we have sent copy of this document through regular mail to Debtor(s) **JOSE A. CORREA ORTIZ, WANDA IVETTE SERRANO RAMOS, LOIZA STATION PO BOX 6562 SAN JUAN, PR 00914** and to all non CM/ECF participants interested as per mailing list which is hereby included.

**RESPECTFULLY SUBMITTED,**

In San Juan, Puerto Rico this 30 day JUNE, 2011.

**/S/ CARLOS E. PEREZ PASTRANA  
USDC-208913**  
Attorney for Movant  
PO BOX 21382  
SAN JUAN, PR 00928-1382  
TEL. 787-625-6645 FAX: 787-625-4891  
[cperezp@reliablefinancial.com](mailto:cperezp@reliablefinancial.com)

Label Matrix for local noticing

0104-3

Case 11-00543-BKT13

District of Puerto Rico

Old San Juan

Tue Jun 28 15:04:09 AST 2011

Harley Davidson Credit (VTQ)

MARTINEZ & TORRES LAW OFFICES P.S.C.

PO BOX 192938

, PR 00919-3409

GE MONEY BANK (JCPENNEY CREDIT SERVICES)

C/O RECOVERY MANAGEMENT SYSTEMS CORP

25 SE 2ND AVE, SUITE 1120

MIAMI, FL 33131-1605

HARLEY-DAVIDSON CREDIT CORP

PO BOX 829009

DALLAS, TX 75382-9009

US Bankruptcy Court District of P.R.

U.S. Post Office and Courthouse Building

300 Recinto Sur Street, Room 109

San Juan, PR 00901-1964

AMERICAN EXPRESS

BANKRUPTCY DIVISION

PO BOX 1270

NEWARK NEW JERSEY 07101-1270

BANCO POPULAR DE PR

BANKRUPTCY DIVISION

PO BOX 366818

SAN JUAN PR 00936-6818

CITIFINANCIAL INC

BANKRUPTCY DIVISION

PO BOX 70923

CHARLOTTE NC 28272-0923

CORREA ORTIZ JOSE ANTONIO

PO BOX 6562

LOIZA ST

SAN JUAN PR 00914-6562

DEPARTMENT OF TREASURY

BANKRUPTCY DIVISION

PO BOX 9022501

SAN JUAN PR 00902-2501

EASTERN AMERICA INSURANCE CO

PO BOX 9023862

SAN JUAN, PR 00902-3862

FIRSTBANK

BANKRUPTCY DIVISION

PO BOX 11865

SAN JUAN PR 00910-3865

HARLEY DAVIDSON CREDIT CORP

PO BOX 829009

DALLAS TEXAS 75382-9009

HARLEY DAVIDSON CREDIT

8529 INNOVATION WAY

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HARLEY DAVIDSON CREDIT (VTQ)

MARTINEZ & TORRES LAW OFFICES P.S.C.

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(p) INTERNAL REVENUE SERVICE

CENTRALIZED INSOLVENCY OPERATIONS

PO BOX 7346

PHILADELPHIA PA 19101-7346

INTERNAL REVENUE SERVICE

PO BOX 7346

PHILADELPHIA PA 19101-7346

JOHNSON CONTROLS INC

SABANA ABAJO INDUSTRIAL PARK

1405 CALLE RIO DANUBIO

CAROLINA PR 00982-1705

JOSE ARCE DIAZ ESQ

PO BOX 820

GUAYNABO PR 00970-0820

PR ACQUISITIONS LLC

250 MUÑOZ RIVERA AVENUE SUITE 1200

HATO REY PR 00918-1814

RG PREMIER BANK OF PR NOW SCOTIABANK DE PR

ISMAEL H. HERRERO III

P O BOX 362159

SAN JUAN PR 00936-2159

SCOTIABANK DE PR

BANKRUPTCY DIVISION

PO BOX 362649

SAN JUAN PR 00936-2649

SERRANO RAMOS WANDA IVETTE

PO BOX 6562

LOIZA ST

SAN JUAN PR 00914-6562

TECHNICAL DISTRIBUTORS

JOSE ARCE DIAZ

PMB 212 AVE ESMERALDA

405 SUITE 2

GUAYNABO PR 00969

TECHNICAL DISTRIBUTORS

PO BOX 3826

GUAYNABO PR 00970-3826

TRANE PR

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SAN JUAN PR 00908-0900

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WILLIAM DAVILA DE PEDRO

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OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901-1938

WANDA IVETTE SERRANO RAMOS  
PO BOX 6562  
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WILLIAM DAVILA DE PEDRO  
WILLIAM DAVILA DE PEDRO LAW OFFICE  
420 PONCE LEON MIDTOWN BLDG  
SUITE 311  
SAN JUAN, PR 00918-3403

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

INTERNAL REVENUE SERVICE  
PO BOX 21126  
PHILADELPHIA PA 19114

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) RELIABLE FINANCIAL SERVICES  
PO BOX 21382  
SAN JUAN PR 00928-1382

End of Label Matrix	
Mailable recipients	35
Bypassed recipients	1
Total	36

**UNITED STATES BANKRUPTCY COURT  
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**IN RE:**

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**DEBTOR(S)**

**CASE NO 11-00543-BKT**

**CHAPTER 13**

**MOTION SUBMITTING DECLARATION  
UNDER PENALTY OF PERJURY**

Comes now, RELIABLE FINANCIAL SERVICES, holder of a secured claim and Creditor herein and submitting to the Honorable Court the following declaration:

I, **HILDARIS B. BURGOS MURIEL**, Bankruptcy Official for RELIABLE FINANCIAL SERVICES, declare under penalty of perjury, the following:

That according to the enclosed certification, provided by Department of Defense Manpower Data Center (DMDC), debtor(s) is(are) not on active military duty nor in the military service and does not fall within the Service Member Civil Relief Act of 2003.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 23 day of JUNE, 2011.

**S/HILDARIS B. BURGOS MURIEL  
Bankruptcy Official  
P. O. Box 21382  
San Juan, PR 00928-1382  
Tel. (787)625-6647 FAX:(787)625-4891  
hburgosm@reliablefinancial.com**

Department of Defense Manpower Data Center

Jun-28-2011 12:30:13



Military Status Report  
 Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
ANDUJAR	JORGE		Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.		

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

A handwritten signature in black ink that reads "Mary M. Snavely-Dixon".

---

Mary M. Snavely-Dixon, Director  
 Department of Defense - Manpower Data Center  
 1600 Wilson Blvd., Suite 400  
 Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects **active duty status** including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

***More information on "Active Duty Status"***

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy TARs, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

***Coverage Under the SCRA is Broader in Some Cases***

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of SCRA extend beyond the last dates of active duty.

Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

**WARNING:** This certificate was provided based on a name and SSN provided by the requester.  
Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Report ID:IG9K36D6T3

Department of Defense Manpower Data Center

Jun-28-2011 12:38:10



Military Status Report  
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
SERRANO	WANDA		Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.		

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

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Department of Defense - Manpower Data Center  
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Report ID:2Q553PEC6E